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Viewing cable 05BAGHDAD5083, UPDATE ON MOHAMMED MUNAF CASE

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Understanding cables

Every cable message consists of three parts:

- The top box shows each cable's unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g. **#05BAGHDAD5083**.

Reference ID	Created	Released	Classification	Origin
05BAGHDAD5083	2005-12-21 15:05	2011-08-30 01:44	SECRET//NOFORN	Embassy Baghdad

Appears in these articles:

<http://www.kamikazeonline.ro/2011/04/sua-sintem-de-acord-cu-audierea-lui-munaf-de-catre-romania-dar-numai-ca-martor-nu-ca-acuza/>

This record is a partial extract of the original cable. The full text of the original cable is not available.

S E C R E T SECTION 01 OF 02 BAGHDAD 005083

SIPDIS

NOFORN

E.O. 12958: DECL: 12/20/2015

TAGS: [MOPS](#) [PHUM](#) [FGOV](#) [KJUS](#) [JZ](#) [RO](#)

SUBJECT: UPDATE ON MOHAMMED MUNAF CASE

REF: A. BAGHDAD 4671 B. BAGHDAD 3010 C. BUCHAREST 2348

Classified By: Classified by Acting Deputy Chief of Mission David C. Litt for Reasons 1.4 (b) and (d).

1.(S/NF) On December 9, Florin Razvan Radu, Director for International Law, Judicial Cooperation, and Foreign Legal Affairs at the Romanian Ministry of Foreign Affairs, explained by telephone that the CCCI had agreed to Mr. Munaf's video testimony in Romanian court as a witness only (Reftel

2.(S/NF) Pol-MilOff explained by telephone that the CCCI had agreed to Mr. Munaf's video testimony in Romanian court as a witness only (Reftel

----- ACTION REQUEST -----

13. (SBU) Post requests that the Department and/or Embassy Bucharest re-iterate the following points to the GOR:

- It is the position of the USG that the Central Criminal Court of Iraq (CCCI) has priority in the criminal trial of Mr. Munaf, an Iraqi-American.
- The CCCI has offered to make Mr. Munaf available as a witness via video-link in Romanian court in exchange for video witness testimony from four Romanian witnesses.
- The CCCI has not given permission for Mr. Munaf's video trial as a defendant in Romanian court, and may not be willing to do so until or unless the GOR does not appear to have engaged the USG or ITG to date on the CCCI's request for the video testimony of four Romanian witnesses;

The USG does not have the practical or legal ability to compel the testimony of the six Iraqi citizens whose appearance the GOR also seeks, as

4.(SBU) In the meantime, Post will refer questions from Romanian prosecutors and other GOR officials to the Department and/or to Embassy Bucharest.

----- BACKGROUND -----

5.(S/NF) In March 2005, Post understands that the GOR informed Embassy Bucharest that Iraqi-American national and former Romanian resident Mohamed Munaf

16. (SBU) At the request of the GOR, MNF-I provided Romanian interviewers access to Mr. Munaf at his place of detention in Baghdad in May and September 2005. Mr. Munaf requested Mr. Munaf's appearance as a witness, and indicated that it wished to try Mr. Munaf himself under Iraqi law for crimes committed inside Iraq.

7.(S/NF) In Reftel B, Post recommended that the USG follow established DoD procedure regarding AmCit detainees held in Iraq - that is, that DoD

8.(S/NF) On September 26, 2005, the GOR issued an arrest warrant against Mr. Munaf and delivered this warrant, with an extradition request, to the GOR.

9.(S/NF) Following a re-affirmation of the USG position, Embassy Bucharest reported in Reftel B that President Traian Basescu informed Embassy Bucharest

10. (SBU) Mr. Munaf remains in Coalition legal and physical custody pending his initial appearance at the CCCI as a defendant; the CCCI has declassified the cable.